

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALONZO DEON JOHNSON,

Petitioner,

No. CIV S-03-2063 RBB JFM P

vs.

CLAUDE E. FINN, Warden,

Respondent.

_____/

DARRYL THOMPSON,

Petitioner,

No. CIV S-04-2208 RBB JFM P

vs.

TOM L. CAREY, Warden,

ORDER

Respondent.

_____/

Petitioners are state prisoners proceeding pro se and in forma pauperis with applications for writs of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioners were co-defendants in one criminal trial. These cases were related by the district court's order issued September 19, 2005. Only one set of state court records have been lodged for use in both cases.

In light of the complexity of the legal issues involved, the court has determined that the interests of justice require appointment of counsel. See 18 U.S.C. § 3006A(a)(2)(B); see also Weygandt v. Look, 718 F.2d 952, 954 (9th Cir. 1983).

Accordingly, IT IS HEREBY ORDERED that:

1. The Federal Defender is appointed to represent petitioners.

2. The Clerk of the Court is directed to serve a copy of the petitions and this order on David Porter, Assistant Federal Defender.

3. Petitioners' counsel shall contact the Clerk's Office to make arrangements for copies of documents in the file.¹

4. A status conference is set for December 14, 2006, at 11:00 a.m. in Courtroom #27.

5. All parties shall appear at the status conference by counsel.

6. Fourteen days prior to the conference, the parties shall file and serve status reports which address the timing and order of the following matters:

a. Discovery and investigations;

b. Anticipated motions;

c. The need for and timing of an evidentiary hearing;

d. Enumeration and resolution of unexhausted claims; and

e. Possible future amendments to the pleadings.

The parties are advised that failure to timely file a status report may result in sanctions.

DATED: November 13, 2006.


UNITED STATES MAGISTRATE JUDGE

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¹ At present, the court files and 18 expandos are being held in chambers. Counsel should contact Carla Wright at (916) 930-4139 to make arrangements to access these records.